

Environmental Protection Agency

§272.1601

EPA Region VIII and the Montana Department of Health and Environmental Services, signed by the EPA Regional Administrator on June 16, 1984.

(c) *Statement of Legal Authority.* Letter from the Attorney General of Montana to EPA, June 7, 1984, with attached Statement of Independent Legal Counsel, dated June 1, 1984.

(d) *Program Description.* The Program Description and any other materials submitted as part of the original application or as supplements thereto.

§§ 272.1352—272.1399 [Reserved]

Subpart CC—Nebraska

§§ 272.1400—272.1449 [Reserved]

Subpart DD—Nevada

§§ 272.1450—272.1499 [Reserved]

Subpart EE—New Hampshire

§§ 272.1500—272.1549 [Reserved]

Subpart FF—New Jersey

§§ 272.1550—272.1599 [Reserved]

Subpart GG—New Mexico

§ 272.1600 [Reserved]

§ 272.1601 New Mexico State-administered Program: Final authorization.

(a) Pursuant to section 3006(b) of RCRA, 42 U.S.C. 6926(b), New Mexico has final authorization for the following elements as submitted to EPA in New Mexico's base program application for final authorization which was approved by EPA effective January 25, 1985. Subsequent program revision applications were approved effective on April 10, 1990, July 25, 1990, December 4, 1992, August 23, 1994, December 21, 1994, July 10, 1995, January 2, 1996, March 10, 1997 and June 13, 1998.

(b) State Statutes and Regulations.

(1) The New Mexico statutes and regulations cited in this paragraph are in-

corporated by reference as part of the hazardous waste management program under subtitle C of RCRA, 42 U.S.C. 6921 *et seq.*

(i) The EPA Approved New Mexico Statutory Requirements Applicable to the Hazardous Waste Management Program, dated September 1997.

(ii) The EPA Approved New Mexico Regulatory Requirements Applicable to the Hazardous Waste Management Program, dated September 1997.

(2) The following statutes and regulations concerning State enforcement, although not incorporated by reference, are part of the authorized State program:

(i) New Mexico Statutes 1978 Annotated, Inspection of Public Records Act, Chapter 14, Article 2, (1994 Cumulative Supplement), Sections 14-2-1 *et seq.*

(ii) New Mexico Statutes 1978 Annotated, Hazardous Waste Act, Chapter 74, Article 4, (1993 Replacement Pamphlet), Sections 74-4-4 (except 74-4-4C), 74-4-4.1, 74-4-4.2C through 74-4-4.2F, 74-4-4.2G(1), 74-4-4.2H, 74-4-4.2I, 74-4-4.3 (except 74-4-4.3A(2) and 74-4-4.3F), 74-4-4.7B, 74-4-4.7C, 74-4-5, 74-4-7, 74-4-10, 74-4-10.1 (except 74-4-10.1C), 74-4-11 through 74-4-14.

(iii) Title 20, Chapter 4, Part 1, New Mexico Administrative Code (20 NMAC 4.1), effective November 11, 1995, Subpart IX, Section 4.1.901 (except 4.1.901.B.1 through 4.1.901.B.6); and Subpart X, Sections 4.1.1101, 4.1.1105, 4.1.1106, and 4.1.1109.

(3)(i) The following statutory provisions are broader in scope than the Federal program, are not part of the authorized program, and are not incorporated by reference:

(ii) New Mexico Statutes 1978 Annotated, Hazardous Waste Act, Chapter 74, Article 4, (1993 Replacement Pamphlet), Sections 74-4-3.3 and 74-4-4.2J.

(4) *Unauthorized State Provisions* (i) The State's adoption of the Federal rules listed below is not approved by EPA and are, therefore, not enforceable:

Federal requirement	Federal Register reference	Publication date
Biennial Report	48 FR 3977	01/28/83
Permit Rules; Settlement Agreement	48 FR 39611	09/01/83
Interim Status Standards; Applicability	48 FR 52718	11/22/83